

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Amendment of Section 73.202(b),)	MM Docket No. 01-191
Table of Allotments,)	RM-10211
FM Broadcast Stations.)	
(Clayton, Oklahoma))	

**REPORT AND ORDER
(Proceeding Terminated)**

Adopted: September 11, 2002**Released: September 27, 2002**

By the Assistant Chief, Audio Division:

1. In response to a petition filed by Maurice Salsa ("petitioner"), the Commission has before it for consideration the *Notice of Proposed Rulemaking*, 16 FCC Rcd 15,257 (M.M.Bur. 2001), requesting the allotment of Channel 232C3 at Clayton, Oklahoma, as the community's first local FM transmission service. Petitioner filed comments supporting the allotment of Channel 232C3 at Clayton. No other comments were received in this proceeding.

2. On October 17, 2001, petitioner submitted a motion requesting that the Commission dismiss his petition to allot Channel 232C3 at Clayton, Oklahoma. The motion was accompanied by petitioner's affidavit certifying that he has not and will not receive any money or other consideration in excess of legitimate and prudent expenses in connection with the dismissal of the petition. *See* 47 C.F.R. Section 1.420(j).

3. A showing of continuing interest is required before a channel will be allotted. It is the Commission's policy to refrain from making an allotment to a community absent an expression of interest. We shall, therefore, grant petitioner's request to dismiss the instant proposal.

4. Accordingly, IT IS ORDERED, That the motion of Maurice Salsa to dismiss his petition to allot Channel 232C3 at Clayton, Oklahoma, is hereby GRANTED.

5. IT IS FURTHER ORDERED, That this proceeding IS TERMINATED.

6. For further information concerning this proceeding, contact Deborah Dupont, Media Bureau, (202)418-2180.

FEDERAL COMMUNICATIONS COMMISSION

John A. Karousos
Assistant Chief, Audio Division
Media Bureau